

Remarks and Arguments

1. This amendment is in response to the Examiner's Non-Final Action of May 31,
5 2005.

2. Before discussing the claims, we note that the Examiner has also called
Applicant's attention to the following additional patents:

10 6,763,269 to Cox - Frequency agile telemetry system for implantable
medical device;

6,754,485 to Obradovich - Technique for effectively providing
maintenance and information to vehicles;

15 6,654,770 to Kaufman - Automobile safety and maintenance information
systems and methods and related services;

20 6,651,063 to Vorobiev - Data organization and management system and
method;

25 6,625,581 to Perkowski - Method Of And System For Enabling The
Access Of Consumer Product Related Information And The Purchase Of
Consumer Products At Points Of Consumer Presence On The World Wide
Web (Www) At Which Consumer Product Information Request (Cpir)
Enabling Servlet Tags Are Embedded Within Html-Encoded Documents;

30 6,611,881 to Gottfurcht - Method and system of providing credit card user
with barcode purchase data and recommendation automatically on their
personal computer;

6,611,201 to Bishop - Method and apparatus for accessing, monitoring
and controlled specified functions, features and accessories of a vehicle;

5 6,550,685 to Kindberg - Methods and apparatus utilizing visually
distinctive barcodes;

6,311,162 to Reichwein - Interactive symptomatic recording system and
methods;

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6,210,210 to Kozel - Flat conductor termination device;

6,064,979 to Perkowski - Method of and system for finding and serving
consumer product related information over the internet using manufacturer
15 identification numbers;

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5,950,173 to Perkowski - System and method for delivering consumer
product related information to consumers within retail environments using
internet-based information servers and sales agents; and

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5,442,553 to Parrillo - Wireless motor vehicle diagnostic and software
upgrade system.

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Applicant has reviewed all of the above patents. None of these patents
disclose applicant's system. Indeed, people in infant safety, automotive and
other industries as well as safety experts have indicated to Applicant they
have been waiting for a recall system such as Applicant's for many years.

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3. Claims 1, 3 – 7, 9, 11 – 17, 19, 20 and 22 – 39 have been rejected under
USC 102(b) as being anticipated by US Patent 5,442,553 to Parrillo.

Applicant avers that Parrillo is not a recall system at all. In fact, Parrillo reads on a system for updating firmware installed in a car (see abstract). As such, Parrillo neither discusses or teaches even a single limitation of the claimed method and apparatus. As such, Applicant respectfully requests that the
5 rejection of Claims 1, 3 – 7, 9, 11 – 17, 19, 20 and 22 – 39 under 35 USC 102(b) be withdrawn.

4. Claims 2, 8, 10, 18, 21 and 30 have been rejected under 35 USC 103(a) as being unpatentable over Parrillo.

10 Again, Applicant notes that Parrillo does not teach or suggest even a single limitation of the claimed method and apparatus and respectfully submits that the rejection of Claims 2, 8, 10, 18, 21 and 30 should be withdrawn and respectfully request the Examiner for such withdrawal of this rejection.

- 15 5. Turning to the claims presently being asserted, Claims 1 – 8 and 20 – 28 are drawn to a method and apparatus for issuing a product recall signal to a group of one or more product on a plurality occasions. As Applicant sees the prior art of record, Applicant notes that the closet art of record is patent US
20 Pat. 6,611,201. Bishop discloses a vehicle control system that can be used to send a single signal to a vehicle to control a relay. The relay, in turn, can be used to enable an indicator to inform a user that the vehicle is the subject of a recall. The present method and apparatus goes further in that it sends a plurality of signals in order to improve the chances that the signal is actually
25 received. In Bishop, the only way to ensure that a signal is received is to use a two-way communications system (Col X, Lns XX). In Bishop, a second signal is sent to a specific vehicle when an acknowledgement is not received from the vehicle within a prescribed amount of time. The current method and apparatus avoids the cost and complexity of a two-way communications
30 system (i.e. the acknowledgment paging system of Bishop '201). Applicant

notes that Bishop discusses retransmission of a signal, but this is only internal to the product. In Bishop, a single signal is received by a central unit in the car and that central unit then retransmits the signal to a slave device (Cl. X, Lns X). Applicant's method and apparatus, however, is drawn to repeating
5 the message to the product from "outside of the product" (current claims 1 and 20). As such, Applicant believes that Claims 1 – 8 and 20 – 28 are entirely distinguished from the art of record.

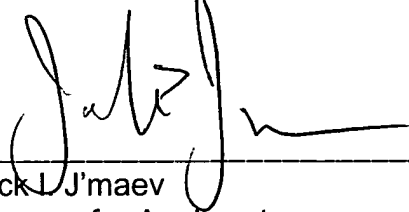
6. Claims 9 – 18 and 29 – 38 are drawn to a method and apparatus for issuing a
10 product recall notice to a product using a selected communications channel. Again, Applicant has reviewed the art of record and does not see any teaching with respect to selection of a communications channel. With respect to the closet art of record (i.e. Bishop '201), Bishop uses a single
15 communications system and does not teach selection or configuration of a communications channel according to a product identifier as clarified in currently amended Claims 9 and 29. As such, Applicant believes that Claims 9 – 18 and 29 – 38 are entirely distinguished from the art of record.

7. It is urged, therefore, that all of the claims as amended here are patentable.
20 Also, it is urged that this application be treated expeditiously. Many people are interested in applicant's invention, including health and safety personnel, a large broadcaster, a chip manufacturer, several major retailers and various investors. Applicant would be pleased to make the invention available to the public as soon as possible so as to save lives and prevent injuries--and this
25 will become a possibility once the patent coverage to protect Applicant's invention has been ensured.

8. Lastly, Applicant thanks the Examiner for his courtesies in relation to this application and for his efforts in locating and presenting all of the prior art that
30 he considers relevant.

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Respectfully submitted,



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